

w/o

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

**DIVISION: 6**

**HON. THOMAS B. LINDBERG**

**CASE NO. P1300CR20081339**

**JEANNE HICKS, CLERK**

**By: Rachel Roehle, Deputy Clerk**

**DATE: May 27, 2010**

**FILED**

**DATE: May 27, 2010**

**5:08 O'Clock P.M.**

**JEANNE HICKS, CLERK**

**BY: Rachel Roehle**

**Deputy**

**TITLE:**

**STATE OF ARIZONA**

(Plaintiff)

vs.

**STEVEN CARROLL DEMOCKER**

(D-1)

**COUNSEL:**

**Yavapai County Attorney (e)**

(For Plaintiff)

**John Sears (e)**

**Larry Hammond & Anne Chapman (e)**

**OSBORN MALEDON, P.A.**

(For Defendant)

**HEARING ON:**

Jury Trial / Pending Motions – Day 13

**NATURE OF PROCEEDINGS**

**COURT REPORTER**

Roxanne Tarn

**START TIME: 8:56 a.m.**

**APPEARANCES:** Joseph Butner, Deputy County Attorney  
Jeff Paupore, Deputy County Attorney  
Steven DeMocker, Defendant  
John Sears, Counsel for Defendant  
Larry Hammond, Counsel for Defendant  
Anne Chapman, Counsel for Defendant

Court convenes with the presence of the Defendant and Counsel.

Motion Re: Gilkerson and Hoang

Eric Gilkerson is sworn and testifies.

Exhibit 2226 is admitted into evidence without objection for purposes of this hearing.

Exhibit 2228 is admitted into evidence for illustrative purposes only for this hearing over objection by Defense Counsel.

The witness is excused.

~\*~\*~\*~\*~\* Recess – 10:30 a.m. ~\*~\*~\*~\*~\*

At 10:54 a.m., Court reconvenes with the presence of all parties previously present.

John Hoang is sworn and testifies.

Exhibit 2227 is admitted into evidence without objection for purposes of this hearing.

Exhibit 2236 is offered for admission by Defense Counsel. The State objects. The objection is sustained.

Exhibit 2236 is admitted into evidence for illustrative purposes only for this hearing over objection by Counsel for the State.

The witness is excused.

~\*~\*~\*~\*~ Recess – 12:02 p.m. ~\*~\*~\*~\*~

At 1:38 p.m., Court reconvenes with the presence of all parties previously present, as well as Christopher DuPont, Counsel for the victims.

Motion Re: Alex Knapp

Ms. Saxerud addresses the Court with regard to the testimony of Alex Knapp.

The Court states that the issue with regard to the testimony of Alex Knapp remains under advisement.

Motion Re: Christopher DuPont

Discussion takes place with regard to the Motion for Sanctions Re: Christopher DuPont.

Christopher DuPont states that he will file a Response to the Motion by June 7, 2010.

The Court requests that the State give the Court and Mr. DuPont at least one week's notice with regard to the likely time that Charlotte and Katie Democker will testify.

The Court requests that the County Attorney's office inform the Court regarding if this motion is still being pursued.

At 2:06 p.m., Christopher DuPont exits the hearing.

Motion Re: Gilkerson and Hoang

Michael Saks is sworn and testifies.

Exhibit 2237 is admitted into evidence without objection.

~\*~\*~\*~\*~ Recess – 3:24 p.m. ~\*~\*~\*~\*~

At 3:41 p.m., Court reconvenes with the presence of all parties previously present

Michael Saks resumes the witness stand.

The witness is excused.

Counsel present argument.

The Court **DENIES** the Motion to Preclude Testimony of Mr. Hoang and Mr. Gilkerson. The Court finds that the requirements of Daubert and the new statute are met.

Motion Re: Peter Barnett

Counsel argue the motion.

The Court takes this motion under advisement.

Discussion takes place with regard to Jury issues.

**IT IS ORDERED** releasing the unadmitted exhibits provided for today's hearing. The exhibits are released to the providing parties in open Court this date.

The Court stands at recess until 9:00 a.m. tomorrow.

**END TIME: 5:08 p.m.**

cc: VS (e)  
Dean Trebesch (Contract Administrator) (PD) (e)  
Division 6 (Under Advisement)  
YCSO (e)  
John Napper, Counsel for Renee Girard (e)  
Christopher DuPont, Trautman DuPont PLC (e),  
Counsel for Victims Charlotte and Katherine DeMocker